

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KEITH M. FULLER,)	
)	
Plaintiff,)	Civil Action No. 12-1001
)	
v.)	District Judge McVerry
)	Chief Magistrate Judge Lenihan
AT&T,)	
)	
Defendant.)	ECF Nos. 26, 42

MEMORANDUM ORDER

The above-captioned case was removed to the United States District Court for the Western District of Pennsylvania on July 18, 2012, and referred to Chief United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court.

The Magistrate Judge's Report and Recommendation (ECF No. 42) filed on December 13, 2013, recommended that the Motion for Summary Judgment filed by Defendant AT&T (ECF No. 26) be denied. Service was made on all counsel of record. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Local Rule of Court 72.D.2, the parties had fourteen (14) days from the date of service to file objections to the Report and Recommendation. No objections were filed.

After review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 8th day of January 2014, it is hereby **ORDERED** that the Motion for Summary Judgment (ECF No. 26) is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 42) of Chief Magistrate Judge Lenihan, dated December 13, 2013, is adopted as the Opinion of the Court.

BY THE COURT

s/TERRENCE F. MCVERRY
United States District Judge

cc: All counsel of record
Via Electronic Mail